



DEPARTMENT OF SAFETY AND INSPECTIONS
Ricardo X. Cervantes, Director

CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

Licensing
375 Jackson Street, Suite 220
Saint Paul, Minnesota 55101-1806

Telephone: 651-266-8989
Facsimile: 651-266-9124
Web: www.stpaul.gov/dsi

March 1, 2016

Mr. Charles Carter
The Lex
976 Concordia Avenue
Saint Paul, MN 55104

Dear Mr. Carter,

The Department of Safety and Inspections will recommend to the Saint Paul City Council that the City not sign off on your Minnesota Department of Public Safety application for a Consumption and Display (Set Up) permit. A resolution to this effect will come before the St. Paul City Council for the Council's consideration at a public hearing on March 16, 2016. The public hearing will occur at the 5:30 p.m. session of the meeting.

In addition, please be advised that unlicensed and unpermitted operation as a bottle club at your current location represents a violation of Minnesota State Statute 340A.414. Continued operation as an unlicensed and unpermitted bottle club may result in criminal and or civil action against yourself and members of The Lex.

Please let me know if you have any questions.

A handwritten signature in black ink, appearing to read "Dan Niziolek".

Dan Niziolek

Title

Denying City approval of The Lex, Inc.'s application for a Consumption and Display Permit from the State of Minnesota.

Body

WHEREAS, The Lex, Inc., d/b/a The Lex, located at 976 Concordia Ave. in Saint Paul, has applied to the State of Minnesota for a Consumption and Display permit, pursuant to Minn. Stat. § 340A.414; and

WHEREAS, pursuant to Minn. Stat. § 340A.414, subd. 5, the issuance of a Consumption and Display permit requires approval by the governing body of the city where the business is located; and

WHEREAS, The Lex has accordingly requested City approval of its Consumption and Display permit application; and

WHEREAS, the City has not historically granted Consumption and Display permit authorization; and

WHEREAS, the City's alcohol regulatory scheme embodies an intent that alcohol service and consumption only occur in businesses licensed for on-sale liquor service; and

WHEREAS, the City recently amended Legislative Code section 409.03 to prohibit the future issuance of Consumption and Display permits; and

WHEREAS, to the knowledge of the Department of Safety and Inspections, there are not currently any Consumption and Display permits issued to businesses within the City of Saint Paul; now, therefore, be it

RESOLVED, that, in the interests of protecting the health, safety, and general welfare of the public, it is the policy of the City that alcohol service and consumption only occur in businesses licensed for on-sale liquor service; and be it

FINALLY RESOLVED, that the director of the Department of Safety and Inspections be directed to deny the request of The Lex, Inc., for City approval of its application for a Consumption and Display Permit.

375 Jackson Street, Suite 220
Saint Paul, MN 55101-1806



CITY OF SAINT PAUL
DEPARTMENT OF SAFETY AND INSPECTIONS

RETURN SERVICE REQUESTED

Charles Carter
The Lex
976 Concordia Avenue
Saint Paul, MN 55104